

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

CV 2003-008523

03/30/2004

HONORABLE ROBERT L. GOTTSFIELD

CLERK OF THE COURT  
M. Johnson  
Deputy

FILED: 04/01/2004

JOSEPH KRAFT

JEFFREY R HOVIK

v.

MICHAEL O'NEILL, et al.

ROBERT L EHMANN

ALTERNATIVE DISPUTE  
RESOLUTION - CCC

MINUTE ENTRY

9:05 a.m. This is the time of pretrial conference. Counsel Jeffrey R. Hovik is present on behalf of plaintiff. Counsel Robert L. Ehmann is present on behalf of defendant. Both are present telephonically.

Court Reporter is not present.

After discussion,

IT IS ORDERED denying plaintiff's motion to stop deposition tomorrow of a non-party witness and then the parties stipulate to the following trial date and deadlines.

IT IS ORDERED setting this case for a **jury trial on September 14, 2004 at 9:30 a.m.**

Estimated length of trial: 4 days.

THIS IS A FIRM TRIAL SETTING. A MOTION TO CONTINUE BASED ON LACK OF PREPARATION WILL NOT BE GRANTED.

1. Discovery shall be completed on or before **August 14, 2004.**

2. Final Supplemental Disclosure statements shall be completed on or before **July 14, 2004.** All expert disclosure and opinions shall be completed on or before **July 1, 2004.**

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3. A final pre-trial conference is set for **September 10, 2004 at 10:00 a.m.**
4. A joint pretrial statement in accordance with Rule 16(d), Arizona Rules of Civil Procedure, shall be due at the time of the pre-trial conference.
5. Jury Instructions are to be provided at the pre-trial conference.
6. All Motions in Limine shall be filed 30 actual days (Sun.-Sat.) before the trial date. Responses shall be filed 10 actual days from receipt of motions. No replies allowed. All Motions in Limine shall be faxed to Court and counsel. All Motions in Limine shall be heard on **September 10, 2004 at 10:00 a.m.** (15 min.).
7. At the pre-trial conference, counsel shall provide the Court with copies of any deposition transcripts to be read to the jury. The offering party should highlight the portions to be read. The other side should highlight Rule 106 additions. Any objections for the Court to rule on should be clearly marked in the margin.
8. In the ordinary case, counsel may assume the jury will be picked and opening statements will take place in the morning. Witnesses will then be called on the first day. Trial days are normally 9:30 a.m. to 12:30 p.m., and 1:30 p.m. to 4:45 p.m., four days a week (Monday - Thursday).
9. At the pre-trial conference, counsel shall be prepared to discuss:
  - (a) time limits in voir dire, opening statements, examination of witnesses and closing statements.
  - (b) stipulation as to the foundation and authenticity of exhibits.
  - (c) preliminary jury instructions.
10. Counsel shall make arrangements with the Clerk of the Court for marking exhibits 5 days prior to trial date.
11. One day's jury fees will be assessed unless the Court is notified of settlement before 2:00 p.m. on the judicial day before trial.

IT IS FURTHER ORDERED that the parties shall conduct a settlement conference on or before **August 1, 2004** with the Alternative Dispute Resolution section of the Superior Court with a Judge Pro Tem.

9:10 a.m. Matter concludes.